

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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STATE OF NEW YORK, et al., )  
                                )  
Plaintiffs,                 )  
v.                             ) CIVIL ACTION NO. 25-11221-WGY  
DONALD J. TRUMP, in his official capacity)  
as President of the United States, et al.,     )  
                                )  
Defendants.                 )  
                                )

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**DECLARATION OF KENDALL MARTIN**

**PRESIDENT OF IRONWORKERS MID-ATLANTIC STATES DISTRICT COUNCIL**

I, Kendall Martin pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury as follows:

**RELEVANT BACKGROUND AND EXPERIENCE**

1. I am over the age of 18 and competent to testify to the facts contained in this Declaration.
2. I am the President of the Ironworkers Mid-Atlantic States District Council, and General Vice-President of the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers Union (the International Ironworkers Union). I have over 30 years of experience in the labor movement, originally having been initiated in Iron Workers Local 5 as an

Apprentice in 1994. Over the course of my career, I have worked on many facets of the Ironworkers trade, including having worked with structural, rigging, ornamental and architectural metals.

3. Ironwork is a skilled trade. We work on large structural construction projects to erect, place, and join steel girders, columns, and other structural components that form the framework of buildings, bridges, and other structures – like offshore wind turbines. On offshore wind projects ironworkers play a crucial role in both construction and maintenance. We install foundations, erect the turbine's towers, install parts like the tower's nacelle and blades that generate electricity, and generally perform structural work on the offshore wind turbines throughout construction, repairs and maintenance.

4. Iron Workers Local 5 represents more than 1,000 Iron Workers in Washington, DC, Maryland, Virginia, and West Virginia. For more than 100 years, we have fought to improve working conditions, wages, training, and benefits for our members.

5. We strategically invest in recruiting, training, and producing the best Ironworkers in the world. As an industry, the International Ironworkers Union invests more than \$75 million on training in over 175 training facilities in the United States and Canada. After the offshore wind industry came to the United States, we have invested in training programs to teach ironworkers the skills needed to work in this industry. Our program now offers Hazard Awareness Certifications, Global Wind Organization (GWO) Training and over 25+ safety and health courses.

6. The GWO is a non-profit body that sets international standards for safety training in the wind energy industry. Its standards are created by the wind energy industry, and encompass a series of specific training modules, required to be taken under GWO accredited programs. Possession of a GWO training certificate issued by an accredited program is a required of those

seeking employment in the offshore wind industry. The requirement was established by developers - the training ensures that workers seeking employment will be capable of performing high-quality work safely on an offshore wind farm..

7. Our Iron Workers Local 5 Apprenticeship Training program has invested a lot of time and money into becoming a GWO Accredited Program. Our curriculum covers all relevant aspects of the work including turbine technology, maintenance, and safety protocols. As a result of our deep investments in developing a GWO accredited training program, our GWO BST Master Trainers are themselves certified to provide the high standard of education and training necessary for professionals entering or advancing within the wind energy sector. Additional information about our GWO accreditation is available at <https://www.ironworkers5.org/news-details/news/gwo-accreditation/44067>.

8. Among the skills that are in our curriculum is the use of high-torque equipment. This is specialized equipment with powerful hydraulic tighteners to fasten the kinds of bolts used on the large wind turbines for offshore wind farms. High-Torque Training teaches workers the proper use of this specialized equipment to minimize the possibility of bolt shearing from an overtightened bolt, or a loosening from an undertightened bolt. When these bolts are supporting equipment worth many millions of dollars, it is absolutely imperative that each and every bolt be properly fastened.

9. We also conduct Fall Training for members seeking offshore wind jobs. Fall Training teaches iron workers how to recognize, prevent, and respond to fall hazards in their work environment. This type of training is crucial for our members because when we are working on offshore wind turbines, our workers can often be anywhere from 300 to even 850 feet up in the air, and falls are a leading cause of injury and death in the ironworking trade.

10. In addition to the High-Torque Training and Fall Training, we are able to provide Helicopter Underwater Escape (HUET) Training, and Rope Safety Training for our members. These kinds of training courses are also crucial to working on offshore wind, where transport often occurs via helicopter from shore to turbine, and where work is often taking place while in a rope and harness.

11. HUET training provides our iron workers with in-depth instruction on how to prepare workers for emergency situations involving helicopter travel. It focuses on teaching techniques necessary to survive and escape from a helicopter in the event of an emergency, as well as proper procedures that should be followed to remain safe and act quickly under pressure. This training requires a practical simulation of a helicopter ditching in a controlled environment.

12. Rope Safety Training teaches iron workers specialized techniques to access offshore wind turbines using ropes as the primary means of support, positioning, and fall protection.

13. These training courses are certainly necessary to ensure that workers are equipped with the specialized skills and safety training that offshore wind work demands, but they are also very costly. Working with our industry partner contractors, we have invested nearly a million dollars from the Iron Workers Local #5's Joint Apprenticeship Training Committee, using funds contributed under collective bargaining agreements for training purposes, into the development of our training center and the procurement of necessary equipment for training workers to work on offshore wind farms. We have made the investments necessary to provide this training because the offshore wind was poised to deliver hundreds of thousands of hours of work with great wages and benefits. In the absence of efforts to train American workers, the developers would have been hiring qualified workers from other countries.

14. To date we have successfully trained 58 individuals in the GWO Basic Safety Training program, including 19 participants from Iron Workers Local 5 in Maryland, 27 participants from Iron Workers Local 361 in New York and 12 participants from Iron Workers Local 28 in Virginia.

15. With the pause on the offshore wind industry we have seen workers who qualify for these types of jobs – because of the training that we and they have invested time, money and resources into – left out on the sidelines. Trained workers are not only now not working the good jobs that the offshore wind industry promised to bring, but they are flat out unable to work because the offshore wind industry jobs were not replacing other jobs, they were additive. Without them, there is simply less work than there would otherwise be, and our trained workers are left to face the impact of the loss of these jobs.

16. The “pause” is really an unexpected layoff for affected members. Many uprooted their lives traveling to out-of-town facilities to secure the necessary training, The pause leaves them uncertain whether they will ever return to these jobs, and if so, when. My union will lose the momentum we have created in developing the workforce to do this labor. We have a real concern that when the pause is ended, developers will again try to fill the offshore wind jobs with workers from other countries who already have GWO certification and the skills needed to perform the work. That is why we have a real concern that the pause will jeopardize American worker participation in this new industry.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 11th day of August in 2025.

*Kendall Martin*

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Kendall Martin

President, Ironworkers Mid-Atlantic States District Council